



To: Rolesville Planning Board
From: Caroline Richardson, Town Planner
Date: August 23, 2019
Subject: **Map Amendment (MA) 19-05**

Item

MA 19-05 - Petition by Benjamin Orta and Lynda Ruiz-Orta to rezone 0.5 acres at 515 S Main St. (PIN 1758689510) from Residential 1 (R-1) district to Commercial Outlying Conditional Zoning (CO-CZ) district.

Summary Information

PINs: 1758689510

Address: 515 S Main St.

Acreage: 0.5

Current Zoning: Residential 1 (R-1)

Proposed Zoning: Commercial Outlying Conditional Zoning (CO-CZ)

Owners: Benjamin Orta and Lynda Ruiz-Orta

Background and Existing Conditions

Parcel 1758689510 is in Rolesville's corporate limits and the R-1 zoning district. There is an existing single-family home on the property.

It is located on S Main St. between Greenway Beer and Wine and Cart Company Golf Carts, across from Rolesville Commons and Town Hall. Greenway Beer and Wine and Cart Company Golf Carts are in the CO-CZ district, and the Commons is in the CO district.

To the immediate rear of the property is a single-family home in the R-1 district. The rest of the surrounding properties are in the Wall Creek subdivision. Wall Creek is in the Residential and Planned Unit Development (R&PUD) district.

The property's frontage along S Main St. and its proximity to other commercial centers would make it a prime location for commercial activity. To ensure the safety and well-being of the neighbors residing to the rear of the property, the applicant wishes to attach conditions to the proposed map amendment. These include provisions for lighting, landscaping, signage, parking, and hours of operation. The conditions are subject to refinement by the applicant.

Neighborhood Meeting

Town of Rolesville

PO Box 250 / Rolesville, North Carolina 27571 / RolesvilleNC.gov / 919.556.3506

The applicant held a neighborhood meeting on August 22, 2019. Of the neighboring property owners in the 200' buffer area, one owner attended. The neighbor asked about parking requirements for possible commercial uses, lighting requirements, and landscape buffers. The neighbor did not express any major opposition to the rezoning.

2017 Rolesville Comprehensive Plan

The Future Land Use Map identifies the property for commercial use. The CO-CZ district is a commercial district, so the proposal is consistent with the Comprehensive Plan.

2002 Thoroughfare Plan

The Town would not require street improvements as part of the proposed rezoning. Any improvements would be assessed at the time of commercial site plan approval or special use permit approval. This would include sidewalk installation.

Planning Staff Recommendation

The Planning Department staff finds the request reasonable, in the public interest, and consistent with the Comprehensive Plan and Future Land Use Plan. Staff recommends that the Planning Board favorably recommend MA 19-05 for consideration by the Town Board of Commissioners.

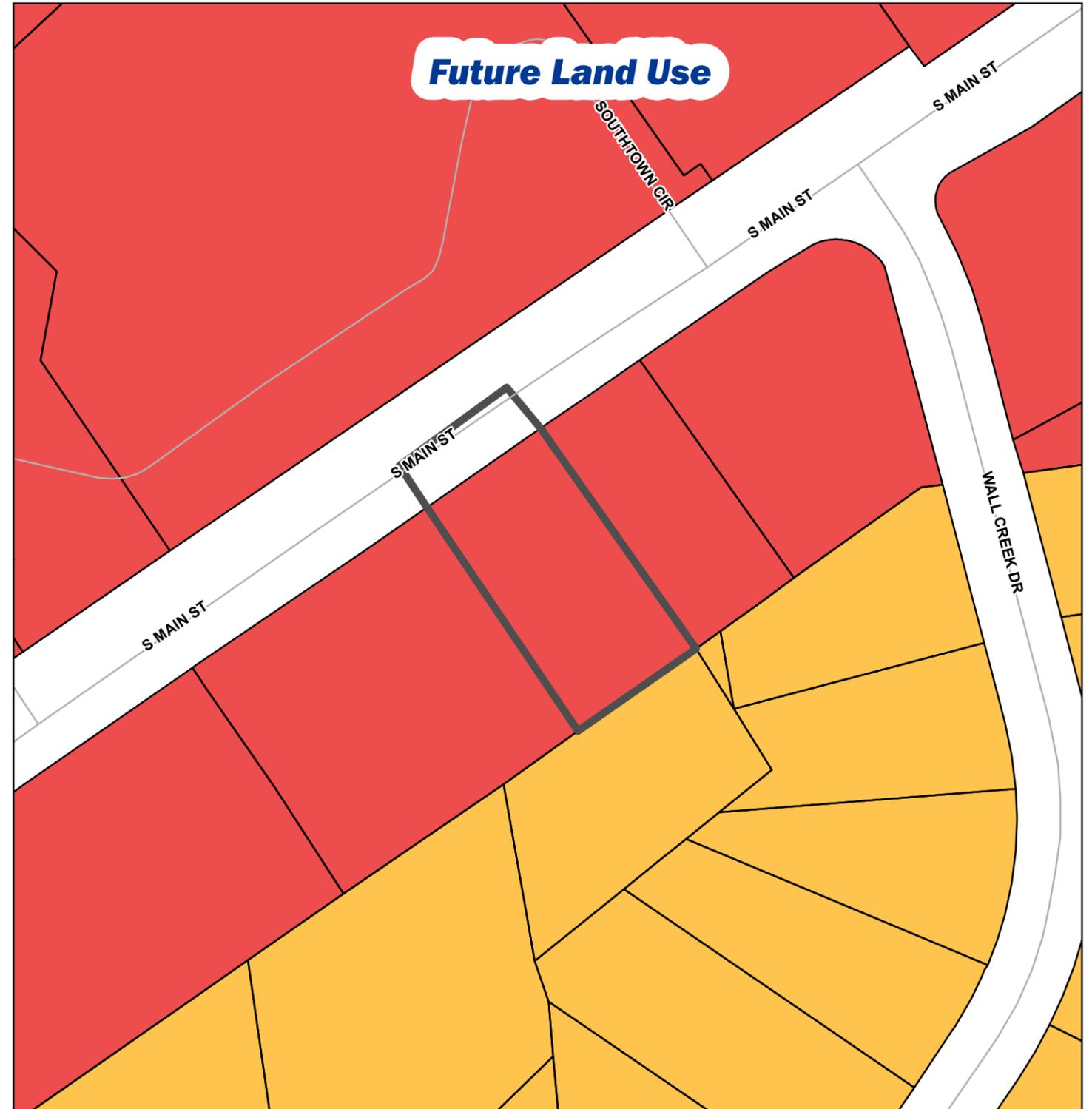
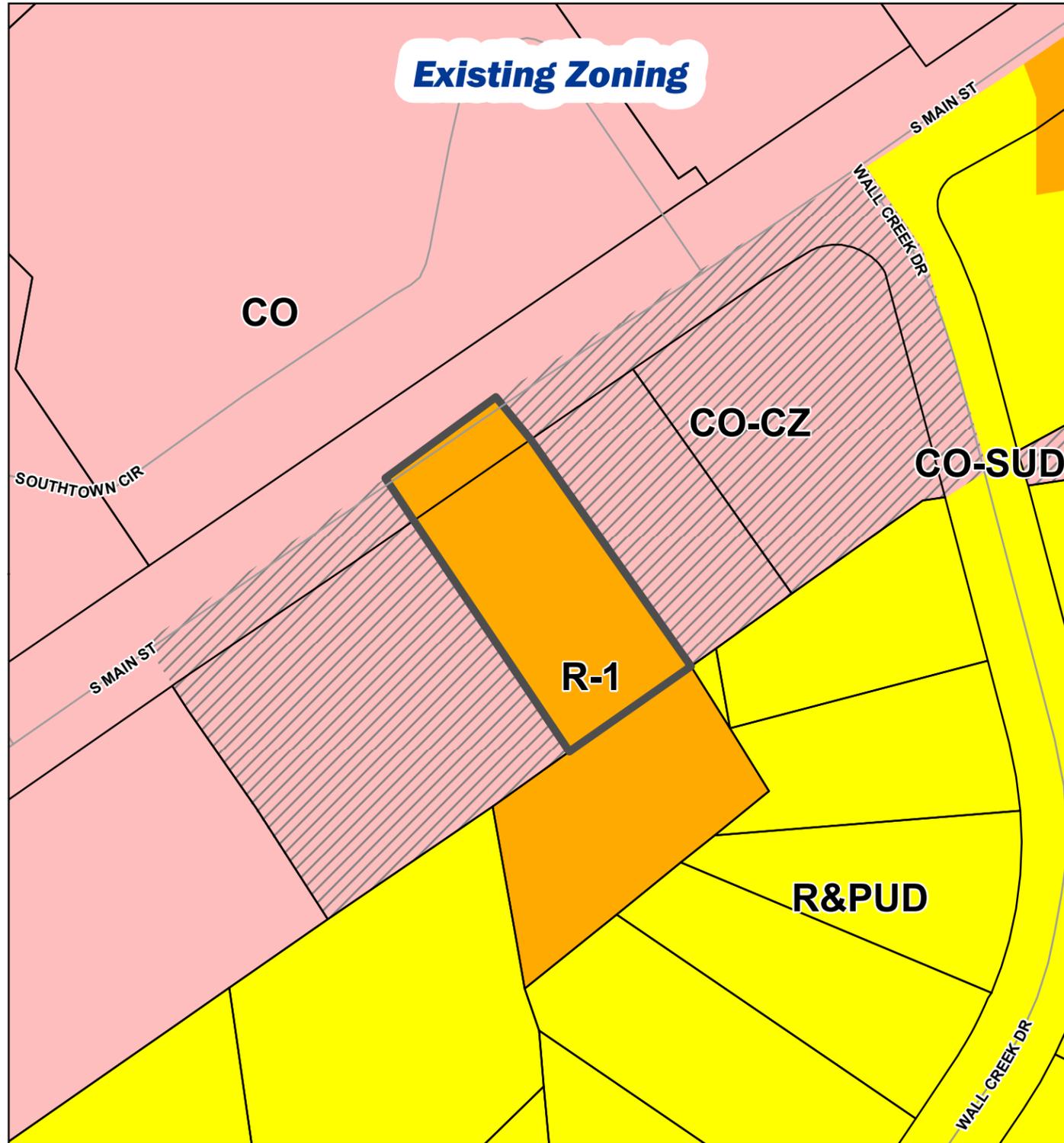
Suggested Planning Board Motion

I make a motion to recommend that the Town Board of Commissioners approve Map Amendment 19-05 to rezone 515 S Main St. from Residential 1 (R-1) district to Commercial Outlying Conditional Zoning (CO-CZ) district as presented. The petition is reasonable and in the public interest because the property fronts S Main St., the Town's primary commercial corridor. Rezoning the property to Commercial Outlying Conditional Zoning (CO-CZ) district would be consistent with the Town's Comprehensive Plan because the Future Land Use Map identifies the property as commercial.

Attachments

MA 19-05 Existing Zoning and Future Land Use Map
MA 19-05 Map Amendment Application

MA 19-05, 515 South Main Street



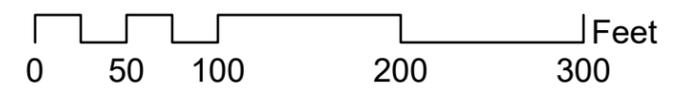
Legend

 MA 19-05

Future Land Use

 Medium Density Residential

 Commercial



Data provided in part by Wake County.



Case No. MA 19-05

Date 7-1-19

Map Amendment Application

Contact Information

Property Owner LYNDA RUIZ-ORTA + BENJAMIN ORTA

Address 515 S. MAIN ST City/State/Zip ROLESVILLE NC 27571

Phone 617-821-1615 Email blorta14@gmail.com

Developer _____

Contact Name _____

Address _____ City/State/Zip _____

Phone _____ Email _____

Property Information

Address 515 S. MAIN ST ROLESVILLE NC 27571

Wake County PIN(s) ~~90500~~ 1758689510

Current Zoning District R-1 Requested Zoning District CO-CZ

Total Acreage .5

Owner Signature

I hereby certify that the information contained herein is true and completed. I understand that if any item is found to be otherwise after evidentiary hearing before the Town Board of Commissioners, that the action of the Board may be invalidated.

Signature [Signature] Benjamin Orta Date 6-24-19

STATE OF NORTH CAROLINA

COUNTY OF Wake

I, a Notary Public, do hereby certify that Lynnda Ruiz Orta & Benjamin Orta

personally appeared before me this day and acknowledged the due execution of the foregoing instrument. This the 24th day of June 2019.

My commission expires 8/14/2023.

Signature Esmeralda Hernandez Colin Seal



Town of Rolesville Planning

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I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she signed the foregoing document: **Lois J. Beal**. Witness my hand and official stamp or seal, this the 5th day of April, 2016.

My Commission Expires: 3-18-19



[Signature]
Notary Public
Print Notary Name: Sunia Barak

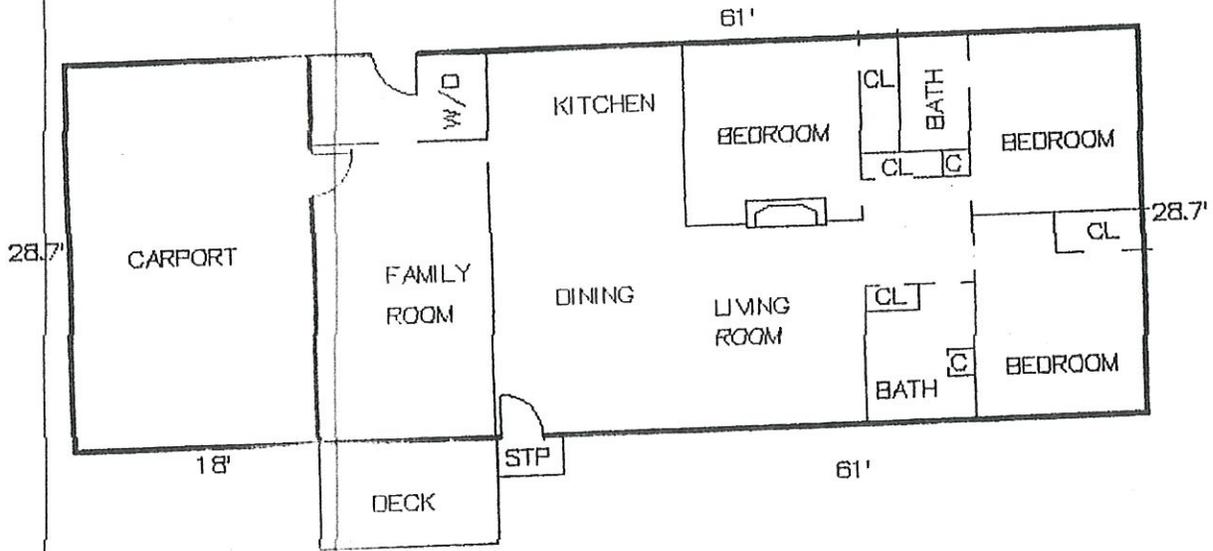
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EXHIBIT A

Parcel Id. 0047785

BEGINNING at a point in the south line of U.S. Highway #401, said beginning point being 17 feet southwardly and perpendicularly from a point in the center line of said highway, which point is 61.4 feet northeastwardly measured along the center line of said highway from the intersection of said center line with the center line extended of county road #2051, thence North 60 degrees East parallel with and 17 feet southwardly from the center line of said highway 104.5 feet to a point, corner with G.N. Wall; thence with Wall's line South 28 degrees 30 minutes East 209 feet to a point, corner with G.N. Wall; thence South 60 degrees West with G.N. Wall's line, 104.5 feet to a point; thence to and with the east line of Johnnie Burbon Pearce and wife, North 28 degrees 30 minutes West 209 feet to a point, northeast corner of Pearce, the point and place of BEGINNING.

IMPROVEMENTS SKETCH



SCALE: 1 Inch = 14 feet

AREA CALCULATIONS

AREA CALCULATIONS SUMMARY			
Area	Name of Area	Size	Totals
GLA1	First Floor	1750.70	1750.70
GAR	CARPORT	516.60	516.60
TOTAL LIVABLE (rounded)			1751

LIVING AREA CALCULATIONS			
Breakdown			Subtotals
61.00	X	28.70	1750.70
TOTAL LIVABLE (rounded)			1751



Map Amendment Application

Property Owner Information

Wake County PIN	Property Owner	Mailing Address	Zip Code
1758689510	LYNDA RUIZ-ORTA BENJAMIN ORTA ✓	515 S. MAIN ST	27571
1758684693	TOWN OF ROLESVILLE	502 SOUTHTOWN CIR.	27571
1758687185	STROUD, PHILLIP + EVA	303 STAPLES DR.	27571
1758688911	LLOYDS of ROLESVILLE LLC	PO BOX 638	27588
1758687482	AJAY PROPERTIES LLC	PO BOX 40873	27629
1758689363	SPILLER, CARLENE/TR	PO BOX 1776	27312
1758780135	EATON, ETHELL	108 WALL CREEK DR.	27571
1758780443	AMERICAN HOMES 4 RENT PROP. FIVE, LLC	30601 AGOURA RD SUITE 200	91301
1758780530	OLD OAK PROP. LLC	5416 THORNBURG DR.	27587
1758780692	BARTHOLOMEW, JOYCE	920 S. MAIN ST	27571
1758781203	VANCE, GREGORY + MELANIE	106 WALL CREEK DR	27571
1758781259	LEE-SMITH, JACQUELINE	104 WALL CREEK DR	27571
1758781368	DEBNAM, JOSHUA + EDITH	102 WALL CREEK DR	27571
1758781457	AMH 2014-3 BORROWER LP	30601 AGOURA RD SUITE 200	91301

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PIN	Real Estate ID	Owner	Mail Address 1	Mail Address 2
1758684693	434405	TOWN OF ROLESVILLE	502 SOUTHTOWN CIR	ROLESVILLE NC 27571-9602
1758687185	234041	STROUD, PHILLIP R II STROUD, EVA DARLENE	303 STAPLES DR	ROLESVILLE NC 27571-9464
1758687482	53729	AJAY PROPERTIES LLC	PO BOX 40873	RALEIGH NC 27629-0873
1758688911	214172	LLOYDS OF ROLESVILLE LLC	PO BOX 638	WAKE FOREST NC 27588-0638
1758689363	69411	SPILLER, CARLENE /TR	PO BOX 1776	PITTSBORO NC 27312-1776
1758689510	47785	ORTA, BENJAMIN ORTA, LYNDA RUIZ	515 S MAIN ST	ROLESVILLE NC 27571-9666
1758780135	202165	EATON, ETHEL L	108 WALL CREEK DR	ROLESVILLE NC 27571-9440
1758780443	442368	AMERICAN HOMES 4 RENT PROPERTIES FIVE, LLC	30601 AGOURA RD STE 200	AGOURA HILLS CA 91301-2148
1758780530	186814	OLD OAK PROPERTIES LLC	5416 THORNBURG DR	WAKE FOREST NC 27587-9693
1758780692	186807	BARTHOLOMEW, JOYCE C	920 N MAIN ST	ROLESVILLE NC 27571-8801
1758781203	202166	VANCE, GREGORY VANCE, MELANIE	106 WALL CREEK DR	ROLESVILLE NC 27571-9440
1758781259	202167	LEE-SMITH, JACQUELINE	104 WALL CREEK DR	ROLESVILLE NC 27571-9440
1758781368	202168	DEBNAM, JOSHUA R JR DEBNAM, EDITH	102 WALL CREEK DR	ROLESVILLE NC 27571-9440
1758781457	202169	AMH 2014-3 BORROWER LP	30601 AGOURA RD STE 200	AGOURA HILLS CA 91301-2148

515 S Main St.

CO – CZ

Conditions

- Lighting Improvement shall be designed such that light does not spill onto adjacent properties and not exceed ½ foot candles when measured at the property line.
- Landscaping improvements and landscape buffers along residential property lines will be made in accordance with the Town of Rolesville Ordinances within Article 14.
- Signage shall comply with Article 11 of the UDO.
- Parking shall be determined at the time of site plan or special use permit review but must, at a minimum, comply with the standards established in Article 10 of the UDO as determined by the proposed use.
- Hours of operation for any approved use on this property shall be determined at the time of the site plan or special use permit review.
- There will be no outside storage.

Approved Uses

- Banks
- Barber and Beauty Shops
- Eating Establishment
- Food Truck and Food Truck Uses
- Funeral Home and Crematory
- Government Facilities
- Home Occupations
- Kindergarten, Nurseries and Daycares
- Library
- Medical Clinic
- Offices for Business and Professional Services
- Parking Lots for Vehicles
- Printing, Graphics or Copy Centers
- Retailing Establishment (excluding vehicle sales lots)
- Schools (public or private)
- Shopping Centers (according to approved uses)
- Signs
- Storage (provided not visible from the street)

Special Use – Requires Approval

- Above Ground Storage of Petroleum Products (NFPA rules may apply)
- Art, Dance or Photo Studio
- Commercial Commissary
- Dwelling – Single Family
- Electronic Gaming Operation
- Event Venue
- Fitness Center
- Laundromat (use of recycled water only)
- Market and Sales of Produce and Seasonal Goods
- Temporary Uses (with development standards)



Memo

To: Rolesville Planning Board

From: Danny Johnson, AICP, Planning Director

Date: August 23, 2019

Re: Item 5. Ordinance Text Amendment: TA 19-06, Amendment to Article 6: Supplementary District Standards, Section 6.2, R&PUD Residential and Planning Unit Development District; Subsection 6.2.4, RM – Mixed-Use to revised the 6.2.4.1 Permitted Uses, 6.2.4.2 Lot Specifications for Non-Residential Development and 6.2.4.3 Design Standards.

Summary Information

The Planning Board direct staff to prepare a text amendment to revise the standards of the R&PUD – RM Mixed-Use and set back provisions. The purpose is to allow more choices in the design of such development than what is currently provided. Attached is the proposed text amendment to Article 6: Supplementary District Standards, Section 6.2, R&PUD Residential and Planning Unit Development District; Subsection 6.2.4, RM – Mixed-Use to revise to increase the maximum square footage of the first floor of a non-residential building, the minimum and maximum setback for the front yard, minimum rear yard setback and placement standard for parking lots location. The proposed text amendment will be more consistent with the current existing non-residential development located in the RM – Mixed-Use section of the R&PUD Residential and Planned Unit Development zoning district. Also will allow more choices in placement of buildings in this zoning district for future development.

The Rolesville Comprehensive Plan encourages revisions to the Unified Development Ordinance when the current standards are not following current demand and practices of needs of the community. The proposed text amendment will address such a condition of the UDO and will serve in public interest; the proposed change is consistent with the Rolesville Comprehensive Plan to allow more choices of design standards for non-residential development and building placement in the R&PUD Residential and Planning Unit Development District.

Planning Staff Recommendation

Staff recommends approval of the TA 19-06, Amendment to Article 6: Supplementary District Standards, Section 6.2, R&PUD Residential and Planning Unit Development District; Subsection 6.2.4, RM – Mixed-Use to revised the 6.2.4.1 Permitted Uses, 6.2.4.2 Lot Specifications for Non-Residential Development and 6.2.4.3 Design Standards and make the necessary statutory findings and recommendations to the Town Board of Commissioners.

Suggested Planning Board Motion:

I make a motion to favorably recommend to the Town Board of Commissioners to approve the requested TA 19-06, Amendment to Article 6: Supplementary District Standards, Section 6.2, R&PUD Residential and Planning Unit Development District; Subsection 6.2.4, RM – Mixed-Use to revised the 6.2.4.1 Permitted Uses, 6.2.4.2 Lot Specifications for Non-Residential Development and 6.2.4.3 Design Standards. The request is reasonable and in the public interest; the change is consistent with the Rolesville Comprehensive Plan to allow choices of design standards for non-residential development and building placement in the R&PUD Residential and Planning Unit Development District.

Attachments:

TA 19-06 - R&PUD - Sec 6.2_Redline Changes

TA 19-06 - R&PUD - Sec 6.2_Clean